

***COLORADO PEACE OFFICER STANDARDS AND TRAINING BOARD
(P.O.S.T.)
AMERICANS WITH DISABILITIES ACT (ADA) ACCOMMODATION
POLICY***

Purpose

The purpose of this P.O.S.T. Order is to ensure compliance with existing law. The Americans with Disabilities Act (ADA) requires that reasonable accommodations be provided to qualified individuals with disabilities. ADA defines disabilities as physical or mental impairments that substantially limit one or more of a person's major life activities (e.g., walking, hearing, speaking, seeing, reading or writing). P.O.S.T. will provide reasonable accommodations to qualified applicants who have documented disabilities and demonstrate a need for accommodation during the P.O.S.T. Certification Examination (test).

Process

Applicants with disabilities may request reasonable accommodation prior to the certification examination testing process. All requests will be reviewed and considered promptly. This policy shall not be construed as providing rights or obligations not provided by applicable laws.

P.O.S.T. may consult with appropriate sources of technical expertise on requests for reasonable accommodations. In some cases, an independent examination may be required to determine if accommodation is necessary and what type of accommodation is recommended.

Undue Hardship: "Undue hardship," as defined by the Americans with Disabilities Act of 1990 (ADA), is an action that is "excessively costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature and operation of the business." P.O.S.T. is not required to provide an accommodation if it will impose an undue hardship on the operation of its business.

If the cost or administrative burden of a requested accommodation is of concern for P.O.S.T. and the Attorney General's Office, the following factors, as applicable, will be analyzed to determine whether an undue hardship exists:

1. The nature and net cost of the accommodation;
2. The overall financial resources of P.O.S.T., P.O.S.T. staffing, and the effect on expenses and resources;
3. The effect of the accommodation on the operations of P.O.S.T. and the facility, including on the ability of P.O.S.T. employees to do their assigned duties and its effect on P.O.S.T.'s ability to conduct business;
4. The availability of other resources to provide for or pay for the accommodation.

Procedures:

All requests for accommodation shall be made on a *P.O.S.T. ADA Accommodation Form*. Accommodation requests must be submitted in a timely manner, no later than 45 days prior to testing and must be tendered to the Colorado Peace Officer Standards and Training Board. The request for accommodation shall be submitted in written form and the applicant's signature shall be notarized. When requests for accommodation are received from certification examination applicants, the following steps should be taken:

Responsibility:

Action:

Applicant

Submits written request for accommodation to the P.O.S.T. Director outlining the nature of the disabling condition and the request for accommodation.
A person seeking a reasonable accommodation shall cooperate and assist P.O.S.T. in obtaining the necessary documentation which may include signing a release of information for purposes of corresponding with the treating health care provider.

Compliance Officer

Logs and acknowledges the request (P.O.S.T. Accommodation Form) and forwards the accommodation request to the P.O.S.T. Director and P.O.S.T. Board Counsel.

Director and Counsel

Review and makes final determination on requests for accommodations. If questions exist concerning undue hardship or reasonableness of requested accommodation, will follow up as appropriate. Good faith effort will be made to provide a written response no later than 45 days from the date the request (P.O.S.T. Accommodation Form) is received.